



April 12, 2005 Response to Statements by Minority Leader Harry Reid

Partisan Rhetoric:

Senator Harry Reid:

Remember, it takes a two-thirds vote to change the rules.

Facts:

The text of the Senate rules may be amended by a simple majority vote. Amending the text never requires more than that. Cloture on a rules text amendment requires two-thirds present and voting (Rule XXII, paragraph 2, but the two-thirds vote is not needed to amend the text itself.

Precedents affect in Senate procedure may also be established by majority vote.

Partisan Rhetoric:

QUESTION: In '75, wasn't it done through a majority vote?

Senator Harry Reid: No.

Facts:

He's also wrong about the record in 1975. The Constitutional option was proposed to effect a rules change. Three points of order were made against it and the Senate tabled each by majority vote. Then, Senator Byrd offered a rules change compromise - triggered by the obvious willingness of a bipartisan Senate majority to use the Constitutional option to relax the cloture rule. Once the compromise was on the table, it passed. The vote was 56-27, but only a simple majority was needed.

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